



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Stephen Post,
Fire Officer 1 (PM1099V),
Jersey City

CSC Docket No. 2019-2481

Examination Appeal

ISSUED: June 13, 2019 (RE)

Stephen Post appeals his score for the oral portion of the promotional examination for Fire Officer 1 (PM1099V), Jersey City. It is noted that the appellant passed the subject examination with a final score of 81.620 and his name appears as the 68th ranked eligible on the subject list.

It is noted for the record that this two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 31.35% of the score was the written multiple-choice portion, 22.49% was the technical score for the evolving exercise, 7.53% was the supervision score for the evolving exercise, 4.28% was the oral communication score for the evolving exercise, 19.23% was the technical score for the arriving exercise, 7.53% was the supervision score for the arriving exercise, and 7.59% was the oral communication score for the arriving exercise.

The oral portion of the Fire Officer 1 examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (evolving); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's

structure and condition (arriving). Knowledge of supervision was measured by questions in both scenarios, and was scored for each. For the evolving scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. For the arriving scenario, a five-minute preparation period was given, and candidates had 10 minutes to respond.

The candidates' responses were scored on technical knowledge and oral communication ability. Prior to the administration of the exam, a panel of Subject Matter Experts (SMEs) determined the scoring criteria, using generally approved fire command practices, firefighting practices, and reference materials. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. For a performance to be acceptable, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

Candidates were rated on a five-point scale, with 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. For each of the scenes, and for oral communication, the requirements for each score were defined.

For the evolving scenario, the appellant scored a 3 for the technical component, a 3 for the supervision component, and a 5 for the oral communication component. For the arriving scenario, the appellant scored a 3 for the technical component, a 3 for the supervision component, and a 5 for the oral communication component. The appellant challenges his scores for the technical component of the evolving scenario, and for the supervision component of the arriving scenario. As a result, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

The evolving scenario involved a fire in the computer lab of a high school. For the technical component, the assessor assigned a score of 2, and noted that the candidate failed to operate in teams of two, a mandatory response to question 1. It was also noted that he missed the opportunity to close/mark doors. These were PCAs for question 1, which asked candidates to describe in detail the orders they would give their crew to carry out their assignment from the Incident Commander (IC). The assessor used the "flex" rule to assign a score of 3. On appeal, the appellant states that he said he would use a systematic buddy search.

Regarding the flex rule, mandatory responses are responses that are requirements for a performance to be acceptable (a score of 3). Sometimes, a candidate states many additional responses but does not give a mandatory response. The flex rule was designed to allow the SMEs to assign a score of 3 to candidates who fail to give a mandatory response but who provide many additional responses. However, the SMEs cannot provide a score higher than a 3 in those cases. All mandatory responses must be given in order for a performance to be acceptable, whether there is one mandatory response or five of them. It is not assumed that candidates receive a score of 5 which is then lowered for lack of responses. Performances that include mandatory responses get a score of 3, and those without mandatory responses get a score of 1 or 2, unless the flex rule is used. Additional responses only increase a score from 3 to 4 or from 3 to 5.

A review of the appellant's presentation indicates that he stated, "We will do a systematic buddy search staying side by side and searching off the rope." As the appellant gave this response, he should be credited for operating in teams of two. As the appellant has credit for this mandatory response, he has sufficient additional responses to warrant a score of 5 for this component.

The arriving scenario involved a train/pedestrian collision. The supervision question for the arriving scenario involved a member of the appellant's crew who has gone missing and is found giving an interview to a local TV crew. The assessor noted that the candidate missed the opportunities to review any relevant SOPs/SOGs and to instruct the firefighter to return to his post. On appeal, the appellant states that he replaced the firefighter, so he did not have to send him back to his post.

In reply, the IC has assigned the candidate and his crew to fire watch as the rail company conducts a safety check on the train. A review of the presentation indicates that he stopped the firefighter from giving the interview and explained why he was being reprimanded. He then said he would calm the situation down and bring him to the fire house when they were done with the job. He then talked about a meeting. The appellant did not instruct the firefighter to go back to his post. There was nothing wrong the firefighter and he did not need to be replaced. In effect, he was rewarded for giving the interview as he did not have to continue with the fire watch. The appellant missed the actions noted by the assessor and his score of 3 for this component is correct.

CONCLUSION

A thorough review of the appellant's submissions and the test materials indicates that, except for the technical component of the evolving scenario, the decision below

is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that the technical component of the evolving scenario be raised from 3 to 5, and the remainder of the appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 12th DAY OF JUNE, 2019



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